

JUN 04 2010

FACSIMILE COVER SHEET

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To: U.S. Patent and Trademark Office

Facsimile No.: (571) 273-8300

From: John C. Pokotylo, Esq.

Date: June 4, 2010

Number of Pages Including Cover: 6

MESSAGE: FORMAL SUBMISSION OF:

- 1) Transmittal (1 pg.);
- 2) Fee transmittal (1 pg.);
- 3) Information Disclosure Statement (2 pgs.); and
- 4) PTOSB08a form (1 pg.).

Attorney Docket No.: Wuesthoff-10 (9A-99 194)

Appl. No.: 10/588,175

Applicants: Michael MROCHEN, et al.

Filed: April 25, 2008

Title: OPHTHAMOLOGICAL DEVICE

TC/A.U.: 3735

Examiner: Terry M. Johnson Vessels

CERTIFICATE OF FACSIMILE TRANSMISSION

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Modified PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

		Application Number	10/588,175
		Filing Date	April 25, 2008
		First Named Inventor	Michael MROCHEN
		Group Art Unit	3735
		Examiner Name	Terry M. Johnson Vessels
Total Number of Pages in This Submission		Attorney Docket Number	Wuesthoff-10 (9A-99 194)

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Postcard Receipt <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Remarks
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	

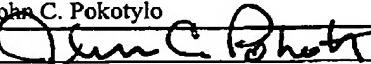
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	John C. Pokotylo (Reg. No. 36,242)
Signature	
Date	June 4, 2010

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June 4, 2010

Typed or printed name	John C. Pokotylo
Signature	
Date	June 4, 2010

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Modified PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2008

Effective 09/30/2007. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0.00)

Complete if Known

Application Number	10/588,175
Filing Date	April 25, 2008
First Named Inventor	Michael MROCHEN
Examiner Name	Terry M. Johnson Vessels
Art Unit	3735
Attorney Docket No.	Wuesthoff-10 (9A-99 194)

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	50-1049
Deposit Account Name	Straub & Pokotylo

The Commissioner is authorized to: (check all that apply)

Charge any underpayment of fee(s) indicated below Credit any overpayments due(s) indicated below

Charge any fee(s) due in connection with the filing submitted herewith

Charge fee(s) indicated below, except for the filing fee in the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING, SEARCH & EXAMINATION FEES

Large Entity	Small Entity	Fee	Fee	Fee Description	Fee Paid
		(\\$)	(\\$)		
1090	545	Utility fee			
460	230	Design fee			
720	380	Plant fee			
1520	760	Reissue fee			
220	110	Provisional fee			
SUBTOTAL (1)		(\$ 0.00)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X [] = []	
			-3** =	X [] = []	
				[] = []	

Large Entity	Small Entity	Fee	Fee	Fee Description
		Code (\$)	Code (\$)	
1202 52	2202 26			Claims in excess of 20
1201 220	2201 110			Independent claims in excess of 3
1203 390	2203 195			Multiple dependent claim, if not paid
1204 220	2204 110			**Reissue independent claims over original patent
1205 52	2205 26			**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0.00)		

**or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 130	2251 65	Extension for reply within first month	
1252 490	2252 245	Extension for reply within second month	
1253 1,110	2253 555	Extension for reply within third month	
1254 1,730	2254 865	Extension for reply within fourth month	
1255 2,350	2255 1,175	Extension for reply within fifth month	
1401 540	2401 270	Notice of Appeal	
1402 540	2402 270	Filing a brief in support of an appeal	
1403 1,080	2403 540	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 540	2452 270	Petition to revive - unavoidable	
1453 1,620	2453 810	Petition to revive - unintentional	
1501 1,510	2501 755	Utility issue fee (or reissue)	
1502 660	2502 430	Design issue fee	
1503 1,190	2503 595	Plant issue fee	
Petitions to the Commissioner - check fee sheet			
1807 50	1807 50	Processing fee under 37 CFR 1.17(c)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 810	2809 405	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 810	2810 405	For each additional invention to be examined (37 CFR 1.129(b))	
1801 810	2801 405	Request for Continued Examination (RCE)	
1802 900	1802 800	Request for expedited examination of a design application	
Other fee (specify)			
* Reduced by Basic Filing Fee Paid			SUBTOTAL (3) (\$ 0.00)

(Complete if applicable)

Name (Print/Type)	John C. Pokotylo	Registration No. (Attorney/Agent)	36,242	Telephone (732) 936-1400
Signature			Date	June 4, 2010

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231.